

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR
AND INDUSTRIAL RELATIONS,

Complainant,

v.

GLOBAL HORIZONS, INC.,

Respondent.

CASE NO. OSH 2007-10

ORDER NO. 246

PRETRIAL ORDER

PRETRIAL ORDER

On May 17, 2007, the Hawaii Labor Relations Board ("Board") conducted an initial conference in this matter with Herbert B.K. Lau, Deputy Attorney General, appearing for Complainant, and Ryan E. Sanada, Esq., representing Respondent.¹ Pursuant to Respondent's general denial of the Citation and Notification and Penalty and the representations of the parties, IT IS HEREBY ORDERED THAT:

1. The issues to be determined at trial are:

As to Citation 1, Item 1 - 29 CFR 1910.142(b)(2):

- (a) Whether Respondent violated 29 CFR 1910.142(b)(2) by having 28 occupants living at the Kau Gold property from September 17-30, 2006; 32 occupants from October 1-7, 2006; and 31 occupants from October 8-14, 2006 when the property was only authorized to house 26 occupants?
- (b) Whether the characterization of the violation as "Serious" is appropriate? If not, what is the appropriate characterization?
- (c) Whether the imposition and amount of the \$1,500.00 penalty is appropriate? If not, what is the appropriate penalty?

¹Ryan E. Sanada, Esq., made a special appearance on behalf of Respondent.

2. Discovery and other deadlines are:

Identification of live witnesses and
discovery cutoff

June 16, 2007


3. The Board will conduct a trial in this matter on July 16, 2007 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii. The trial will continue from day-to-day until completed.
4. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, May 21, 2007.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


EMORY J. SPRINGER, Member


SARAH R. HIRAKAMI, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees, if any, at least five working days prior to the trial date.

Copies sent to:

Ryan E. Sanada, Esq.
Herbert B.K. Lau, Deputy Attorney General